

259

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-50594-2019 (O&M)
DATE OF DECISION: 06.07.2023**

Harnek Singh @ Neka Singh and others ...Petitioners

Versus

State of Punjab and another ...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. K. P. Singh, Advocate,
 For the petitioners.

Mr. Mohit Thakur, AAG, Punjab.

Mr. Neeraj Madaan, Advocate for
Ms. Parminder Kaur, Advocate
For respondent No.2.

ARUN MONGA, J. (ORAL)

Petitioner seeks quashing of FIR No.72 dated 05.08.2019 registered under Sections 323, 506, 148 read with Section 149 IPC, at Police Station Bhindi Saidan, District Amritsar Rural, on the basis of compromise (Annexure P-2), stated to have been arrived between the parties.

2. Since quashing was sought on the basis of compromise, this Court on 28.11.2019 had directed the parties to appear before the *Illaqua* Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 13.12.2019 of learned Judicial Magistrate First Class, Ajnala, had been received. Report reveals that statements of complainant i.e. respondent No.2 as also of accused/present petitioners

herein, were duly recorded. It is opined that a compromise has been arrived at without any pressure, undue influence or coercion. The report is accompanied by the statements of parties. It is apparent that the complainant/respondent No.2 and accused/petitioners have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel appearing on behalf of complainant/respondent No.2 states that he would have no objection to the quashing of FIR in question.

5. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a decision dated 29.09.2021 of the Supreme Court in case titled *Ramgopal and anr. Vs. The State of Madhya Pradesh*¹ and a Full Bench decision of this Court in *Kulwinder Singh and others Vs. State of Punjab and others*².

6. In the premise it is an appropriate case for exercise of power under Section 482 Cr.P.C. and to bring to an end the criminal proceedings initiated in the light of impugned FIR.

7. Petition is thus allowed. FIR No.72 dated 05.08.2019 registered under Sections 323, 506, 148 read with Section 149 IPC, at Police Station Bhindi Saidan, District Amritsar Rural and all proceedings emanating there from qua the petitioners stand quashed.

8. Pending application(s), if any, shall also stand disposed of.

JULY 06, 2023

Shalini

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

¹Criminal Appeal No.1489 of 2012